



**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR APPLICATION #2998  
February 17, 2016**

**OVERVIEW**

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**Application Number:** 2998  
**Project Name:** Dollar General  
**Applicant:** HSC Palm Coast LLC

**Property Description:**

<b>Property Owner:</b>	Old Kings Road, LLC
<b>Current FLUM designation:</b>	Mixed Use
<b>Current Zoning designation:</b>	General Commercial (COM-2)
<b>Current Use:</b>	Vacant
<b>Size of subject property:</b>	.753 ± acres
<b>Parcel ID/Legal:</b>	07-11-31-7001-00B0-0030
<b>Address:</b>	20 Old Kings Road N.

**Requested Action:** Review proposed Technical Site Plan Tier I application consistent with the PLDRB direction.

**ANALYSIS**

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**REQUESTED ACTION**

To review the proposed submittal of this TIER I site plan submitted by the applicant, as requested by the PLDRB at their September 16, 2015 meeting.

**BACKGROUND/SITE HISTORY**

The subject tract-- Lot 3 -- is located at 20 Old Kings Road North, across from the Old Kings Commons shopping center, west of the Barbosa Plaza and northwest of the former Palm Harbor Shopping Center. The subject site was created in its current configuration in 1999 as a result of the Palm Harbor Replat, (MB 31 pages 69-70). It is one the last remaining undeveloped commercial parcels in the vicinity of this retail area.

The parcel is zoned COM-2, General Commercial and the FLUM is Mixed Use. The subject tract is within close proximity to the newly renovated Island Walk Shopping Center. In fact, this general area is experiencing robust development activity in recent times, serving as a major activity center for residents of Palm Coast. The subject tract is within the Palm Coast Parkway/ Old Kings Road Development District Overlay, as identified in the Prosperity 2021 report.

On September 16, 2015 the Planning Land Development Regulation Board reviewed application 2922. This application was a variance request to reduce the 35 foot perimeter landscape buffer requirements (referenced in Table II-5 Perimeter Landscape Requirements, Land Development Code (LDC)) from 35 feet to 20 feet. The 35 foot perimeter landscape buffer requirement was required because of Old Kings Road's designation as a specially designated arterial or collector road per the LDC.

At its September meeting, the PLDRB approved a fifteen foot variance from the 35 foot landscape buffer requirement subject to maintaining the 7500 SF building footprint shown on the conceptual site plan as part of the variance submittal. The Board also stated that the Technical site plan submitted must comply with other Land Development Code regulations. In addition, the PLDRB requested that a site plan be returned to the Board for their review.

Development on this site is subject to TIER 1 Technical Site Plan review since the proposed project is under 40,000 SF. TIER 1 is an administrative site plan approval under the purview of the Land Use Administrator. This approval is granted after Technical comments from Engineering, Transportation, Landscaping, Utilities and Land Use reviewers are met and satisfied. When a Development Order is issued, the applicant is able to file for their site development permit and associated construction plans.

## **CURRENT STATUS**

On December 29, 2015, the applicant submitted Application 2998 for TIER 1 site plan approval consistent with Section 2.04 of the Land Development Code.

The TIER 1 site plan depicts a 7500 SF retail pad consistent with the conceptual site plan reviewed as part of the variance proceedings. The site plan shows two proposed access points to the subject tract from an access easement with Lot 4 and its connection to Palm Harbor Village Way. Palm Harbor Village Way is the Old Kings Road entrance to the Palm Harbor/Island Walk office and retail area. Palm Harbor Village Way has a 100 feet of ROW. Note: The applicant has submitted a draft access easement agreement in accordance with the owners of Lot 4, Palm Harbor Replat. The easement portion of Lot 4 is proposed to be developed as part of this site plan.

In addition to the TIER 1 site plan submittal, the applicant has submitted Application 2997. Application 2997 is a concurrent request for parcel reconfiguration. This parcel reconfiguration adds 4,264 SF to the subject tract, while removing the same SF from the adjoining Lot 3. As of this February 9, 2016 the City has not received any applications to develop Lot 4.

The applicant has submitted two revisions to date. At this time, the Technical TIER 1 site plan is substantially finalized pending a number of technical comments. The applicant has worked with City staff to address comments related to the proposed architectural design, landscaping, and internal circulation and fire code issues.

## LAND USE AND ZONING INFORMATION

As stated, the property is located at 20 Old Kings Road N. entrance of the newly renovated Island Walk Shopping Center. The subject property is an existing .73 acre vacant parcel zoned General Commercial (COM-2) and the FLUM is Mixed Use. The proposed retail site will have access via an internal access easement agreement with Lot 3 of the Palm Harbor Replat. Access to Lot 4 will be via Palm Harbor Village Drive. The surrounding FLUM, zoning and existing uses are indicated below.

SURROUNDING LAND USES AND ZONING DISTRICTS		
<i>North</i>	FLUM	Mixed Use
	Zoning	General Commercial
	Supporting	Retention pond and retail
<i>South</i>	FLUM	Mixed Use
	Zoning	General Commercial
	Supporting	Bowling Alley & retail
<i>East</i>	FLUM	Mixed Use
	Zoning	General Commercial
	Supporting	Vacant
<i>West</i>	FLUM	Mixed Use
	Zoning	General Commercial
	Supporting	Retail & Office

Below is a comparison of existing parcel status versus that of the proposed site plan. The effect of the proposed site plan is to create a 7500 SF retail pad with access via an internal access easement with Lot 4, Palm Harbor Replat. If application 2997 is approved, the width of Lot 3 – the subject tract -- will be increased 17 feet from 131.25 feet to 148.25 feet. The area of the subject tract will be expanded by 4,260 SF.

USE SUMMARY TABLE		
CATEGORY	EXISTING	PROPOSED
Future Land Use Map (FLUM)	Mixed Use	No change proposed
Zoning District	Commercial (COM-2)	No change proposed
Overlay District	Palm Coast Parkway /Old Kings Road District	No change proposed
Use	Vacant Land	7500 SF retail footprint

Acreage	.753	.85 (pending parcel reconfiguration request)
Access	None	Palm Harbor Village Way (via access agreement)

Below is a summary of the site development regulations that serve to guide development on the subject parcel. As can be seen the subject tract meets the site development requirements applicable to the parcel.

SITE DEVELOPMENT REQUIREMENTS Lot 3 Palm Harbor Replat		
CRITERIA	REQUIRED	PROVIDED
Min. Lot Size	20,000 SF	32,800/ proposed 37,064 (parcel reconfiguration)
Min. Lot Width	100 ft.	131.25 SF/ 148.25 SF
Max. Bldg. Height	50 ft.	24"
Zoning Setbacks <ul style="list-style-type: none"> <li>• Front (*Old Kings Road/arterial req.)</li> <li>• Rear</li> <li>• Side</li> <li>• Side</li> </ul>	25 ft. (1) 10 ft. 10 ft. 10 ft.	25 ft. 10 ft. 10 ft. 10 ft.
Max. Floor Area Ratio (FAR)	0.40	.21
Max. Impervious (ISR)	0.70	68.8%
Min. Parking Required	30 spaces	28 Spaces (2)
1 .A 15 foot landscape variance was granted by the PLDRB in September 2015, reducing the landscape buffer from 35 feet to 20 feet. The zoning/building setback remains at 25 feet for Old Kings Road. 2. The applicant has submitted a Parking Study.		

#### ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

The Unified Land Development Code, Chapter 2, Part II, Section 2.05.05 states: *When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:*

*A. The proposed development must not be in conflict with or contrary to the public interest;*

**Staff Finding:** The proposed development is not in conflict with or contrary to the public interest, as the specified land use is consistent with the City's LDC and Comprehensive Plan.

*B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;*

**Staff Finding:** The request is consistent with the following objectives and policies of the Comprehensive Plan:

- **Chapter 1 Future Land Use Element:**

*-Objective 1.1.1 - The City's Future Land Use Map shall provide areas for mixed use development in identified commercial centers and corridors while maintaining the established suburban residential development pattern in single family areas and protecting the community's environmental resources.*

*-Policy 1.1.1.1.C – This FLUM designation represents existing and future mixed use corridors and employment centers throughout the City that provide general retail, professional services and office. A blending of residential uses and institutional uses is also allowed in this designation... The Mixed Use designation is intended to provide opportunities for residents to work, shop, engage in recreational activities, and attend school and religious activities in reasonable proximity to residential dwellings.*

The City's Comprehensive Plan promotes a diversity of land uses and so local residents have the option of meeting some of their daily living requirements close to home.

- **Chapter 2 Transportation Element:**

*-Objective 2.2.2 – Enforce standards that encourage and/or require establishment of sidewalk connections or multi-use paths between new residential and commercial development.*

*-Policy 2.2.2.1 – Through the development review process, the City shall ensure that developers construct connections that link residential areas, recreational facilities, and commercial developments to reduce traffic on collector and arterial roadways.*

The proposed site plan provides improved internal and external sidewalk interconnectivity over the existing conditions.

*C. The proposed development must not impose a significant financial liability or hardship for the City;*

**Staff Findings:** The proposed development does not impose a significant financial liability or hardship for the City. The project must meet the City's requirements for adequate public facilities, and must construct the onsite infrastructure required to support the proposed development. Additionally, any roadway, utility or other public infrastructure required by the future development is in place or must be funded or provided by the applicant should any infrastructure needs exist.

*D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;*

**Staff Finding:** The proposed development poses no unreasonable hazard, nuisance, nor does it constitute a threat to the general health, welfare, or safety of the City's inhabitants. All improvements will be newly constructed and/or developed in compliance with the relevant LDC, Building Code and other agency requirements.

*E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;*

**Staff Finding:** The applicant has submitted or shall submit plans and permit applications as required to the various agencies having jurisdiction, and shall meet all requirements of other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

#### **PUBLIC PARTICIPATION**

No neighborhood meeting was required for this application.

#### **REQUESTED ACTION**

Staff is requesting the PLDRB review the proposed TIER 1 Technical Site Plan. The plan is currently undergoing a second administrative review. Approval of the site plan and issuance of a Development Order is subject to the remaining technical comments being addressed in accordance with the City's Land Development Code.